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TRANSCRIPT OF PROCEEDINGS

JUN 17 1993

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

IN RE APPLICATIONS OF:

MM DOCKET NO. 93-88

EZ COMMUNICATIONS, INC.

and

ALLEGHENY COMMUNICATIONS GROUP, INC.

Pittsburgh, Pennsylvania

DATE OF CONFERENCE: June 4, 1993

VOLUME: I

PLACE OF CONFERENCE: Washington, D.C.

PAGES: 1-6

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and)

ALLEGHENY COMMUNICATIONS GROUP, INC.)

Pittsburgh, Pennsylvania)

MM Docket No. 93-88

The above-entitled matter came on for pre-hearing conference pursuant to Notice before Edward Luton, Administrative Law Judge, at 2000 L Street, N.W., Washington, D.C., in Courtroom No. 4, on Friday, June 4, 1993, at 9:00 a.m.

APPEARANCES:

On behalf of EZ Communications, Inc.

RAINER K. KRAUS, Esquire
1150 Connecticut Avenue, NW
Suite 1000
Washington, D.C. 20036

On behalf of Allegheny Communications Group, Inc.

MORTON L. BERFIELD, Esquire
JOHN J. SCHAUBLE, Esquire
Cohen and Berfield, P.C.
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Washington, D.C. 20036

On behalf of Mass Media Bureau:

PAULETTE LADEN, Esquire
ROBERT A. ZAUNER, Esquire
2025 M Street
Suite 7212
Washington, D.C. 20554

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25	Conference Began: 9:00 a.m. Conference Ended: 9:05 a.m.	

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P R O C E E D I N G S

JUDGE LUTON: State your appearances, please, starting at my left?

MR. ZAUNER: For the Mass Media Bureau, Robert A. Zauner and Paulette Laden.

JUDGE LUTON: Thank you.

MR. KRAUS: For EZ Communications, Inc., Rainer K. Kraus.

MR. BERFIELD: For Allegheny Communications Group, Inc., Morton Berfield and John Schauble.

JUDGE LUTON: Thank you. All right. Mr. Berfield has furnished me with a proposed schedule for this case. For that I am very grateful. I understand that Mr. Kraus and Mr. Berfield had agreed to the schedule but that the Bureau had some further checking to do before it could commit itself to this schedule. I've looked at the schedule very carefully and there's nothing on it that I would want to change. How does the Bureau feel this morning about this particular schedule?

MR. ZAUNER: Your Honor, we have some changes that I believe opposing counsel are in agreement with. They're relatively minor. The changes are -- I can't read the old date, but the exchange of written direct case including public witness statements, the new date would be September 27th. I believe that's moving it back one day.

JUDGE LUTON: Yes, it is.

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1 MR. ZAUNER: And for the admissions session the date
2 would be October 7th and 8th. Other than that, the schedule
3 proposed is fine with the Bureau.

4 JUDGE LUTON: Okay. And the applicants have agreed to
5 those changes?

6 MR. BERFIELD: Yes.

7 MR. SCHAUBLE: Yes, Your Honor.

8 MR. KRAUS: Yes, Your Honor. Those are fine.

9 JUDGE LUTON: All right. Those changes are also fine
10 with me. You notice that the schedule makes provision for
11 public witness hearing in Pittsburgh -- the assignment order
12 -- as we all know urges that we do everything possible to
13 avoid, avoid a trip to Pittsburgh --

14 MR. KRAUS: Your Honor --

15 JUDGE LUTON: I just want to ask, have we done that?

16 MR. KRAUS: Your Honor, first let me tell you
17 Pittsburgh in November is very nice.

18 JUDGE LUTON: Very nice?

19 MR. KRAUS: Very.

20 JUDGE LUTON: Really? Okay. I don't doubt it.

21 MR. KRAUS: And second, we have discussed informally
22 with Mr. Berfield the number of -- witnesses that -- which we
23 think will happen. We think there'll be approximately 25 give
24 or take a couple, or there may be a few more, maybe few less.
25 And of course, we will be -- we will -- be exchanging on the

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1 | written exchange date the statements -- written statements by
2 | each of the witnesses. And certainly from our perspective it
3 | may be possible to either avoid -- it's up -- really up to
4 | Allegheny which has the -- in this. But from out point of

1 | Pittsburgh, so we'll do everything we can to avoid Pittsburgh |
2 | but if we can't avoid it we'll go to Pittsburgh. |

3 | MP DELETED. Thank you. Your Honor |

CERTIFICATE OF REPORTER, TRANSCRIBER, AND PROOFREADER

APPLICATIONS OF EZ COMMUNICATIONS, INC.
and ALLEGHENY COMMUNICATIONS GROUP, INC.

MM Docket No. 93-88

Docket No.

Washington, D.C.

Place


June 4, 1993

Date

We, the undersigned, do hereby certify that the foregoing pages, numbers 1 through 7, inclusive, are the true, accurate and complete transcript prepared from the reporting by Diane Windell, in attendance at the above identified proceeding, in accordance with applicable provisions of the current Federal Communications Commission's professional verbatim reporting and transcription Statement of Work and have verified the accuracy of the transcript by (1) comparing the typewritten transcript against the reporting or recording accomplished at the proceeding and (2) comparing the final proofed typewritten transcript against the reporting or recording accomplished at the proceeding.


June 10, 1993

Date


James H. Lowell, Transcriber
Free State Reporting, Inc.

June 11, 1993

Date


Diane S. Windell, Proofreader
Free State Reporting, Inc.

June 11, 1993

Date


Diane S. Windell, Reporter
Free State Reporting, Inc.

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